

**FILED**

**DEC 02 2014**

**STATE BAR COURT CLERK'S OFFICE  
SAN FRANCISCO**

**PUBLIC MATTER**

STATE BAR OF CALIFORNIA  
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**STATE BAR COURT**

**HEARING DEPARTMENT - SAN FRANCISCO**

In the Matter of:

) Case No. 14-O-05644

WAYNE A. BOATWRIGHT,  
No. 150972,

) NOTICE OF DISCIPLINARY CHARGES  
)  
)  
)  
)

A Member of the State Bar

**NOTICE - FAILURE TO RESPOND!**

**IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE  
WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT  
THE STATE BAR COURT TRIAL:**

- (1) YOUR DEFAULT WILL BE ENTERED;**
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU  
WILL NOT BE PERMITTED TO PRACTICE LAW;**
- (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN  
THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION  
AND THE DEFAULT IS SET ASIDE, AND;**
- (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE.  
SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE  
OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN  
ORDER RECOMMENDING YOUR DISBARMENT WITHOUT  
FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ.,  
RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.**

The State Bar of California alleges:

**JURISDICTION**

1. WAYNE BOATWRIGHT ("respondent") was admitted to the practice of law in the



1 State of California on December 4, 1990, was a member at all times pertinent to these charges,  
2 and is currently a member of the State Bar of California.

3 COUNT ONE

4 Case No. 14-O-05644  
5 Business and Professions Code, section 6103  
6 [Failure to Obey a Court Order]

7 2. Respondent disobeyed or violated an order of the court requiring respondent to do or  
8 forbear an act connected with or in the course of respondent's profession which respondent ought  
9 in good faith to do or forbear by failing to comply with the August 18, 2014 Interim Suspension  
10 Order from the Review Department of the State Bar of California requiring respondent to comply  
11 with Rule 9.20, California Rules of Court, by performing the acts specified in subdivisions (a)  
12 and (c) within 30 and 40 days, respectively, after the effective date of the Order, in wilful  
13 violation of Business and Professions Code, section 6103.

14 NOTICE - INACTIVE ENROLLMENT!

15 YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR  
16 COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE  
17 SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL  
18 THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO  
19 THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN  
INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE  
ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE  
RECOMMENDED BY THE COURT.


20 NOTICE - COST ASSESSMENT!

21 IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC  
22 DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS  
23 INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING  
AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND  
PROFESSIONS CODE SECTION 6086.10.

24 Respectfully submitted,

25 THE STATE BAR OF CALIFORNIA  
26 OFFICE OF THE CHIEF TRIAL COUNSEL

27 DATED: December 2, 2014

28 By:   
Robin Brune  
Senior Trial Counsel

# DECLARATION OF SERVICE

by  
U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): **14-O-05644**

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 180 Howard Street, San Francisco, California 94105, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

## NOTICE OF DISCIPLINARY CHARGES

- ☐ **By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))**  
- in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of San Francisco.
- ☒ **By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))**  
- in accordance with the practice of the State Bar of California for collection and processing of mail, I deposited or placed for collection and mailing in the City and County of San Francisco.
- ☐ **By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))**  
- I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for overnight delivery by the United Parcel Service ("UPS").
- ☐ **By Fax Transmission: (CCP §§ 1013(e) and 1013(f))**  
Based on agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed herein below. No error was reported by the fax machine that I used. The original record of the fax transmission is retained on file and available upon request.
- ☐ **By Electronic Service: (CCP § 1010.6)**  
Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the person(s) at the electronic addresses listed herein below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ (for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at San Francisco, addressed to: (see below)

☒ (for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested,  
Article No.: 7196 9008 9111 2393 0559 at San Francisco, addressed to: (see below)

☐ (for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS,  
Tracking No.: addressed to: (see below)

Person Served via Certified Mail	Business-Residential Address	Fax Number	Courtesy Copy via Regular Mail to:
Wayne Albert Boatwright	4860 17 <sup>th</sup> Street San Francisco, CA 94117	Electronic Address	Wayne Albert Boatwright 4860 17 <sup>th</sup> Street San Francisco, CA 94117
			& Wayne Albert Boatwright CDC# AN0094 San Quentin State Prison San Quentin, CA 94974

☒ via inter-office mail regularly processed and maintained by the State Bar of California addressed to:  
n/a

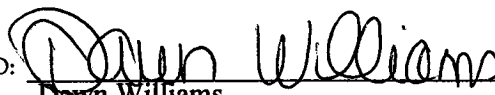
I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service ("UPS"). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at San Francisco, California, on the date shown below.

DATED: **December 2, 2014**

SIGNED:

  
Dawn Williams  
Declarant